

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

11

U.S.C.A. #

U.S.D.C. #

08-cv-0532

JUDGE:

AKH

DATE:

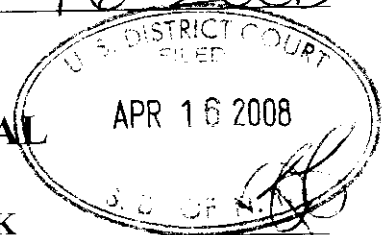
4-16-2008

*Moore*

-v-

USA

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME):

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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

**\*\* ONLY CIRCLED DOCUMENTS ARE INCLUDED \*\***

**\*\* ALL OTHERS MISSING AT THIS TIME \*\***

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 16th Day of April, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 08-cv-532

JUDGE: AKH

DATE: 4-16-08

Moore

-v-

USA

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered \_\_\_\_\_ Through \_\_\_\_\_, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

**BALANCE OF FILE MISSING AT THIS TIME**

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 16th Day of April In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

Deputy Clerk

APPEAL, CLOSED, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-00532-AKH**  
**Internal Use Only**

Moore v. The United States of America et al  
Assigned to: Judge Alvin K. Hellerstein  
Demand: \$9,999,000  
Cause: 28:1361 Petition for Writ of Mandamus

Date Filed: 01/22/2008  
Date Terminated: 03/13/2008  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

Date Filed	#	Docket Text
01/22/2008	1	COMPLAINT against The United States of America, SDNY's Clerk, 2nd Circuit's Clerk, Students A, B, C, and D, Conspirators. (Filing Fee \$ 350.00, Receipt Number 638816) Document filed by Wilbert Moore. (jpo) (Entered: 01/24/2008)
01/22/2008		Magistrate Judge Frank Maas is so designated. (jpo) (Entered: 01/24/2008)
01/22/2008		SUMMONS ISSUED as to The United States of America, SDNY's Clerk, 2nd Circuit's Clerk, Students A, B, C, and D, Conspirators, U.S. Attorney and U.S. Attorney General. (jpo) (Entered: 01/29/2008)
03/06/2008	2	ORDER OF DISMISSAL. Accordingly, the complaint is dismissed for lack of subject matter jurisdiction, for failure to state a claim upon which relief may be granted and for asserting claims against parties immune from suit. I certify under 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. So Ordered. (Signed by Judge Alvin K. Hellerstein on 3/5/08) (js) (Entered: 03/06/2008)
03/06/2008	3	AFFIDAVIT OF SERVICE of Summons and Complaint. 2nd Circuit's Clerk served on 2/20/2008, answer due 4/20/2008. Service was made by certified mail, return receipt requested (#7007 0220 0002 0104 7167) upon Clerk Catherine O'Hagan Wolfe. Document filed by Wilbert Moore. (dj) Modified on 4/2/2008 (dj). (Entered: 03/14/2008)
03/06/2008	4	AFFIDAVIT OF SERVICE of Summons and Complaint. Service was made by via certified mail with return receipt requested #7007 0220 0002 0104 7174 upon U.S. Attorney, Michael Garcia, U.S. Dept. of Justice on 2/21/08. Document filed by Wilbert Moore. (dj) (Entered: 03/14/2008)
03/06/2008	5	AFFIDAVIT OF SERVICE of Summons and Complaint. SDNY's Clerk served on 2/20/2008, answer due 4/20/2008. Service was made by certified mail with return receipt #7007 0220 0002 0104 7211. Document filed by Wilbert Moore. (dj) (Entered: 03/14/2008)
03/06/2008	6	JUDGMENT, in favor of 2nd Circuit's Clerk, Conspirators, SDNY's Clerk, Students A, B, C, and D, The United States of America against Wilbert Moore. Pursuant to the Order issued this day by the Honorable Alvin K. Hellerstein, United States District Judge, dismissing the complaint, it is, ORDERED, ADJUDGED AND DECREED: That the complaint is hereby dismissed for lack of subject matter jurisdiction, for failure to state a claim upon which relief may be granted and for asserting claims against parties immune from suit. See Fed. R. Civ. P. 12(b)(1),(6) and (12)(h)(3). I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Alvin K. Hellerstein on 03/05/08) (Attachments: # 1 Notice of Right to Appeal)(dt) (Entered: 03/14/2008)
03/14/2008	7	MOTION for an order for a requests for the consideration and acceptance of this instant motion for reconsideration. Document filed by Wilbert Moore. Return Date set for 4/4/2008 at 10:00 AM.(pl) (Entered: 03/17/2008)
03/18/2008		Mailed notice of Right to Appeal to Pro Se Litigant(s): Wilbert Moore. (ama) (Entered: 03/18/2008)
03/19/2008	8	MEMO ENDORSEMENT on 7 MOTION for Reconsideration, filed by Wilbert Moore. ENDORSEMENT: Motion Denied. No facts of laws presented that I did not previously consider. (Signed by Judge Alvin K. Hellerstein on 3/19/08) (cd) (Entered: 03/20/2008)
03/31/2008	9	NOTICE OF APPEAL from 6 Judgment. Document filed by Wilbert Moore. Filing fee \$ 455.00, receipt number E 646205. (tp) (Entered: 04/14/2008)
04/14/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 9 Notice of Appeal. (tp) (Entered: 04/14/2008)
04/14/2008		Transmission of Notice of Appeal to the District Judge re: 9 Notice of Appeal. (tp) (Entered: 04/14/2008)